

g the power of the Senate  
I feel constrained to say a

leave the tender of resignation. We cannot accept it without being the Senate to senator. Who gave him the legislature and the throne, therefore, must he or do I see what authority the Senate, the channel of communication and those of government. I do not doubt the to go on and investigate man after the tender of his senator from Louisiana as from any further proceedings Senate, I have no doubt self-governing power, such as the power of commanders of this body; it is the Senate might be broken if, if it had not the power its members. I am as qualifications of the constitution as I was a dis was admitted to take the

that he should be admitted examine his qualifications that he has withdrawn, a rest. Whether the resignation of the Senate, or whether a vacancy, our further purpose is to refer to the resolution that the Senate be changed by the committee to the Vice President by resolution before the Senate. A practical question now before the Senate is transferred to the Illinois. To the State, in the next session, a vacancy for a seat for the State is enough for us to decide and not disposed to anticipate that may be enough, at all events, for the not wish that the Senate give a great constitutional question now before the Senate for a few remarks by a motion for the table. The Senate and for us to take action on the matter of the

superfluous and improper. If this question be decided still be before the day the committee may lay the whole upon the motion be to lay the whole upon a few words. The only thing that can be is, the motion to consider on New Hampshire. To make the same motion in it comes up. The yeas and nays upon the Mississippi. The yeas taken, were—yeas 20, nays 10.

re there is any disposition  
was necessary in the case  
from New Hampshire ;  
not equally necessary to  
the resolution was first in  
re necessary to give the  
ution is now before the  
this question as one pecu-  
cannot understand how  
id in any other way. It  
tion of the constitution.  
Now, sir, the resolution  
ect committee, as I under-  
construction upon the  
by the amendment of the

any impression. On is in these words, and was passed in the case of James Shields to states is void, he not having rates for the term of years the United States;<sup>21</sup> not of the United States nine election. He was elected not become vacant until did not ~~slightly~~ him with

...did not choose him with  
...od of service was to com-  
...d if he had been qualified  
...sufficient. That was the  
...se of the constitution by  
...was the construction put  
...uth Carolina. I have no  
...the world, to adopt the  
...ake the resolution more

whole object of it. Now, the question is, void? I no regard it, not qualified when the time comes, the duties of the office for regard the election then to it, void—not voidable, but election? The distinction is lawyers. That which is that which is voidable on; and it is a distinction. If this election were that, in some way or by made good. But I apprehend be made good in any

which has been connected  
ing from the communica-  
President of his intea-

understand that that let-  
in in the slightest degree  
Senator from Mississippi,  
seat to this body. Resig-  
appointing power. Au-  
from the legislature of a  
at legislature. No mem-  
of his authority, as such,  
itself. The constitution  
that if a vacancy happens  
otherwise, during the re-  
state, the Executive there-  
inment. Now, without  
a, as there is a previous  
inment by the legislature  
tion can be made only to  
is the appointing power.  
Robert.

...the governor may ap-  
point sitting; and when a  
of the original appointing  
second appointing power.  
that an office can only be  
source whence it came.  
this case, if it were the  
it, would it be the slightest  
sh the power of the gov-  
vacancy. His power is  
and the occasion upon  
ointed out by the constitu-  
called on to exercise the  
e governed by the consti-  
ow, what is the language  
f a vacancy occur during  
by death, resignation, or  
appoint. Well, suppose  
it is all